

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

VERNA CHRISTOPHER,

Plaintiff,

v.

Civil Action No. 3:22cv00142
Henrico Circuit Court Case No. CL22-819

WALMART INC.,

Defendant.

NOTICE OF REMOVAL

Walmart, Inc. (“Walmart”), by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby files this Notice of Removal on the following grounds:

1. Plaintiff filed a Complaint with Interrogatories and Requests for Production of Documents attached thereto in Henrico County Circuit Court on February 10, 2022, seeking \$5,000,000.00 in damages against Walmart (**Exhibit A**). This is a personal injury action in which Plaintiff claims to have been injured at a Wal-Mart store in Chesterfield County on March 15, 2020, as a result of Walmart’s negligence, causing Plaintiff to sustain serious and permanent injuries. Compl. ¶ 5.
2. Walmart’s registered agent was served with the Complaint on February 17, 2022.
3. Walmart timely filed a Motion to Transfer Venue to Chesterfield Circuit Court (**Exhibit B**) and Answer to Plaintiff’s Complaint (**Exhibit C**) on February 28, 2022, alleging that Wal-Mart Stores East, LP is the only correct party defendant. Plaintiff filed a response to the Motion to Transfer. (**Exhibit D**).
4. Upon information and belief, Plaintiff is a citizen of Virginia.

5. Walmart Inc. is a Delaware corporation with its principal place of business in Bentonville, Arkansas.

6. The entity that operated the subject Walmart on the date of the accident was Wal-Mart Stores East, LP, which is a Delaware limited partnership with its principal place of business in Bentonville, Arkansas.

i. Wal-Mart Stores East, LP, has two partners: Wal-Mart Stores East Management, LLC, and Wal-Mart Stores East Investment, LLC. Both are Delaware limited liability companies, with their principal place of business being in Bentonville at the time of filing this action and at the present time.

ii. The sole member of Wal-Mart Stores East Management, LLC is Wal-Mart Stores East, Inc., an Arkansas corporation with its principal place of business being in Bentonville, Arkansas at the time of filing this action and at the present time.

iii. The sole member of Wal-Mart Stores East Investment, LLC is Wal-Mart Stores East, Inc., an Arkansas corporation with its principal place of business being in Bentonville, Arkansas at the time of the filing of this action and at the present time.

7. This action involves a controversy wholly between citizens of different states. There is complete diversity of citizenship.

8. This Court has original jurisdiction in this matter pursuant to 28 U.S.C. § 1332(a), and the action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(a). Walmart desires to remove this action to this Court.

9. Pursuant to 28 U.S.C. § 1446 (b)(3), this Notice of Removal is filed within (30) days of service of the Complaint on Walmart.

WHEREFORE, Walmart Inc., by counsel, respectfully requests that this action be removed from the Circuit Court of Henrico County, Virginia, to this Court.

WALMART INC.

By _____
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of March, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing to the following:

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Counsel for Plaintiff

And I hereby certify that on this 14th day of March, 2022, I caused a true copy of the foregoing to be sent via U.S. mail to:

The Honorable Heidi S. Barshinger
Clerk of Henrico County Circuit Court
P.O. Box 90775
4309 East Parham Road
Henrico, VA 23273-0775

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